JUN-10-2004 10.03

JRM:lmp 6/10/04

PATENT Attorney's Matter No. 50848

## REMARKS

Applicant respectfully requests entry of the above amendment. Applicant's representative has learned that the incorporation of application 08/438,159 occurred in a preliminary amendment filed with the application that is likely not part of the application as filed because the declaration did not refer to the preliminary amendment. Therefore, the incorporation of application 08/438,159 is being deleted.

Date: June 10, 2004

**CUSTOMER NUMBER 23735** 

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